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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :  
Kazuhiro IIDA et al. : **Mail Stop: PCT**  
Serial No. 10/589,818 : Attorney Docket No. 2006\_1205A  
Filed August 17, 2006 :

AUDIO SIGNAL ENCODING DEVICE,  
AUDIO SIGNAL DECODING DEVICE, AND  
METHOD AND PROGRAM THEREOF  
[Corresponding to PCT/JP2005/12221  
Filed July 1, 2005]

**SUBMISSION OF ENGLISH VERSIONS OF INTERNATIONAL PRELIMINARY  
REPORT ON PATENTABILITY AND WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEES FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975

Sir:

Submitted herewith for consideration by the Examiner are:

- 1) An English version of the International Preliminary Report on Patentability; and
- 2) An English version of the Written Opinion of the International Searching

Authority.

Respectfully submitted,

Kazuhiro IIDA et al.

By

Michael S. Huppert  
Registration No. 40,268  
Attorney for Applicants

MSH/kjf  
Washington, D.C. 20006-1021  
Telephone (202) 721-8200  
Facsimile (202) 721-8250  
March 8, 2007

# PATENT COOPERATION TREATY

# PCT

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44*bis*)

Applicant's or agent's file reference P38038-P0	<b>FOR FURTHER ACTION</b>		See item 4 below
International application No. PCT/JP2005/012221	International filing date ( <i>day/month/year</i> ) 01 July 2005 (01.07.2005)	Priority date ( <i>day/month/year</i> ) 06 July 2004 (06.07.2004)	
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237			
Applicant MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.			

1.	This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 <i>bis</i> .1(a).																								
2.	This REPORT consists of a total of 4 sheets, including this cover sheet.																								
	In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.																								
3.	<p>This report contains indications relating to the following items:</p> <table style="width: 100%;"> <tr> <td style="width: 10%; text-align: center;"><input checked="" type="checkbox"/></td> <td style="width: 40%;">Box No. I</td> <td style="width: 50%;">Basis of the report</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table>	<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
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<input type="checkbox"/>	Box No. VIII	Certain observations on the international application																							
4.	The International Bureau will communicate this report to designated Offices in accordance with Rules 44 <i>bis</i> .3(c) and 93 <i>bis</i> .1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44 <i>bis</i> .2).																								

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland  Facsimile No. +41 22 338 82 70	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 5px;">Date of issuance of this report 16 January 2007 (16.01.2007)</td> </tr> <tr> <td style="padding: 5px;">           Authorized officer   <div style="text-align: center; font-weight: bold;">Yoshiko Kuwahara</div> </td> </tr> <tr> <td style="padding: 5px;">e-mail: pt07@wipo.int</td> </tr> </table>	Date of issuance of this report 16 January 2007 (16.01.2007)	Authorized officer  <div style="text-align: center; font-weight: bold;">Yoshiko Kuwahara</div>	e-mail: pt07@wipo.int
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Authorized officer  <div style="text-align: center; font-weight: bold;">Yoshiko Kuwahara</div>				
e-mail: pt07@wipo.int				

# PATENT COOPERATION TREATY

TRANSLATION

From the  
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing  
(day/month/year)

Applicant's or agent's file reference  
**P38038-P0**

**FOR FURTHER ACTION**

See paragraph 2 below

International application No.  
**PCT/JP2005/012221**

International filing date (day/month/year)  
**01.07.2005**

Priority date (day/month/year)  
**06.07.2004**

International Patent Classification (IPC) or both national classification and IPC

Applicant

**MATSUSHITA ELECTRIC INDUSTRIAL CO., LTD.**

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP

Authorized officer

Facsimile No.

Telephone No.

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2005/012221

Box No. 1 Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐

This opinion has been established on the basis of a translation from the original language into the following language

\_\_\_\_\_, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

- a. type of material

☐

a sequence listing

☐

table(s) related to the sequence listing

- b. format of material

☐

in written format

☐

in computer readable form

- c. time of filing/furnishing

☐

contained in the international application as filed.

☐

filed together with the international application in computer readable form.

☐

furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/JP2005/012221

**Box No. V** Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

**1. Statement**

Novelty (N)	Claims <u>1-18</u>	YES
	Claims _____	NO
Inventive step (IS)	Claims <u>1-18</u>	YES
	Claims _____	NO
Industrial applicability (IA)	Claims <u>1-18</u>	YES
	Claims _____	NO

**2. Citations and explanations:**

Document 1: JP. 8-275300, A (Yamaha Corp.), 18 October, 1996 (18.10.96), Full text; Figs. 1-4, & US. 5680464, A

Document 2: JP. 2000-505266, A (AT & T LABORATORIES / RESEARCH), 25 April, 2000 (25.04.00), Full text; Figs. 1-3, & WO. 1998/03036, A1

Document 3: JP. 2000-295698, A (Matsushita Electric Industrial Co., Ltd.), 20 October, 2000 (20.10.00), Full text; Figs. 1-9 (Family: none)

Document 4: JP. 2002-229598, A (Matsushita Electric Industrial Co., Ltd.), 16 August, 2002 (16.08.02), Full text; Figs. 1-12 (Family: none)

In "an audio signal encoding device in which a source sound signal for each of plural channels is encoded into mixed signal information representing overall features of the said source sound signal and auxiliary information representing a feature quantity based on the relation between the individual source sound signals",

the technique of "(1) calculating the feature quantity based on the source sound signal, (2) determining an encoding method depending on the arrangement relations between individual reproduction positions, indicated by the channel information representing the reproduction position viewed from the listener of the sound of each channel, and (3) encoding the said feature quantity using the encoding method determined earlier" is neither described in any of the documents cited in the ISR nor obvious to a person skilled in the art.